

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----	- x	
	:	
In re	:	Chapter 11
	:	
DELPHI CORPORATION, <u>et al.</u> ,	:	Case No. 05-44481 (RDD)
	:	
Debtors.	:	(Jointly Administered)
	:	
-----	- x	

ORDER DENYING EXPEDITED MOTION TO ENFORCE COBRA
BENEFITS FOR SALARIED RETIREES AND MOTION FOR COBRA
SETTLEMENT (COBRA BENEFIT MOTION)

Upon the Expedited Motion To Enforce Cobra Benefits For Salaried Retirees And Motion For Cobra Settlement (Cobra Benefit Motion) (Docket No. 18366) (the "Motion"), filed by James Sumpter; and upon the July 30, 2009 ruling of this Court denying the Motion insofar as it constitutes an objection to the Debtors' Motion for Order (I) Approving Modifications to Debtors' First Amended Plan of Reorganization (as Modified) and Related Disclosures and Voting Procedures and (II) Setting Final Hearing Date to Consider Modifications to Confirmed First Amended Plan of Reorganization (Docket No. 14310), dated October 3, 2008 (the "Plan Modification Approval Motion") and the Debtors' (A) Supplement to Motion for Order (I) Approving Modifications to Debtors' First Amended Plan of Reorganization (as Modified) and Related Disclosures and Voting Procedures and (II) Setting Final Hearing Date to Consider Modifications to Confirmed First Amended Plan of Reorganization and (B) Request to Set Administrative Expense Claims Bar Date and Alternative Sale Hearing Date (Docket No. 16646), dated, June 1, 2009 (the "Supplemental Plan Modification Approval Motion"); and upon the Debtors' Omnibus Reply in Support of Modified Plan and Master Disposition Agreement

(Docket No. 18659), dated July 27, 2009, filed by Delphi Corporation and certain of its subsidiaries and affiliates, debtors and debtors-in-possession in the above-captioned cases (collectively, the "Debtors"); and upon the record of the hearings held on July 29, 2009 and July 30, 2009 (the "Hearings") on the Motion insofar as it constitutes an objection to the Plan Modification Approval Motion and the Supplemental Plan Modification Approval Motion; and this Court having considered the documents and exhibits filed by James Sumpter, which were admitted into evidence at the Hearings as Joint Exhibit 627; and the Court having considered the arguments of James Sumpter and the Debtors at the Hearings; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is hereby

ORDERED, ADJUDGED, AND DECREED THAT:

1. This Court has core jurisdiction over these chapter 11 cases and the parties and property affected hereby pursuant to 28 U.S.C. §§ 157(b) and 1334. Venue of this proceeding and this Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409.
2. The Motion is DENIED as moot.
3. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this order.

Dated: New York, New York
August 3, 2009

/s/Robert D. Drain
UNITED STATES BANKRUPTCY JUDGE